

**COMMUNITY OF NOLAN RIVER ESTATES**  
RV-VFD Meeting Room – FM 916, Rio Vista, Texas  
**Association Meeting Minutes – Thursday, January 8, 2015**

**OFFICERS PRESENT:**

Jon Puryear – President  
Michele Newman – Corresponding Secretary  
Kurt Newman – Treasurer  
Teri Morales- Recording Secretary

**OFFICER(S) NOT IN ATTENDANCE:**

Ronny Eller – Vice President

**MEMBERS PRESENT:**

John & Marcea Haubert  
Michael Willing  
Mary Stotler

**GUESTS PRESENT:**

Mildred Townsend

Jon called the meeting to order at 7:04 pm. Jon gave the invocation.

**MINUTES** - Teri asked for any suggested changes to the October 2, 2014 Association Meeting minutes as posted on the CNRE website. No additions or changes to the minutes were suggested. Mary entered a motion to accept the minutes as published and Marcea seconded the motion. Motion passed unanimously.

**Treasurer's Report** – Kurt presented the Treasurer's report as follows:

Balance Statement	
Beginning Balance (funds available):	\$ 21084.53
Credit Total:	\$ 3322.49
Debit Total:	\$ 2949.21
Ending Balance (funds available):	\$ 20930.19

59 Members paid their dues in 2014. Next Newsletter will be April. Contributions should be provided by mid-March. Next Community Cleanup Day is Saturday, January 10, 2015. Kurt stated that the financial records are available for anyone to see upon request. Michael made a motion to accept the Treasurer's Report as presented and Mary seconded the motion. Motion passed unanimously.

**OLD BUSINESS**

**Garage Sale Report** - Michele reported that it took 260 man hours to set up the garage sale this year. Net amount made was \$2568.15. Majority of leftovers went to Operation Blessing.

**Update on Property Complaints -**

**4900 St. Leger** - Although some of the problems have been corrected on this property, others are ongoing and still need to be addressed. Jon reported he sent another certified letter this week and requested a plan of action within 30 days. This second letter also offered community volunteers to help.

**4620 S. Nolan River Rd.** - Discussed at last meeting - please refer to those minutes. No changes.

**4900 S. Nolan River Rd.** - Kurt reported there have been several more work days done with mostly LDS missionaries as work crew. The backyard is almost complete. A front end loader is still required to remove some trash. The hope is to also assist with some inside projects, i.e. attic insulation, windows, main bedroom and main bath. This property has made a tremendous improvement; thanks again to all those who donated time, money, equipment, materials, etc.

**4800 S. Nolan River Rd.** - There had been some cleaning up of the property but that has now subsided. Efforts are being made by the Association to facilitate improvements to this property.

**2014 Budget Results** - Kurt supplied those in attendance with a copy of the information. The results included debits (due outs) of \$1397.71 to the Rio Vista VFD and \$660 to TAMER.

**2014 Annual Report** - Kurt supplied everyone in attendance with a copy of the draft report. Among many commendable community accomplishments, the most impressive achievement was the community project at 4900 S. Nolan River Road. It was a win, win for all. Kurt reviewed the goals and status of the goals. Kurt also reported the financial status has improved and that the HOA has finally reached the goal of \$20K to \$25K. The ultimate goal is still to get to \$25K of available funds in case it is needed for an emergency. Jon and Kurt asked if anyone had any changes, questions, corrections and there were none made. Jon suggested that if anyone thinks of anything to please contact either he or Kurt. Kurt will have the final copy out February 1, 2015.

## **NEW BUSINESS**

**Property Ownership Update** – Michele reported that in addition to the information provided in the recent newsletter there have been two additions:

The property at 3757 Preakness (King Property) is for sale, list \$235K, 1800 SF home with 5 acres. There is already a contract pending and the interested persons have contacted the HOA and asked about building a second residence. They were told that was prohibited in the deed restrictions. They were informed they could add onto the home but the end result must still look like one house or possibly they could enclose their garage and then add a detached garage. They were informed the new detached garage could face the street only if it was located 250 feet or more from the road.

**Committee Reports** – Marcea reported that information gathered in a chance meeting between Kathy McClelland, Judge Harmon and one of the county commissioners may prove to be helpful in future efforts to persuade the county to provide a county animal shelter. She also stated that efforts to add the county animal issue to the formal commissioner's agenda will be pursued the next time a presentation is made in an attempt to obtain more interest in the issue and increase the time for discussion with the commissioners. The petition to express a concern about the lack of a county animal shelter is available online at <https://www.change.org/petitions/johnson-county-commissioner-s-court-the-undersigned-residents-property-owners-of-johnson-county-texas-hereby-petition-johnson-county-to-provide-and-maintain-an-animal-shelter-for-use-by-county-residents> for those who would like to sign it. Jon spoke about the wild dog pack in the community. There has been information emailed to members as well about these dogs. They seem to be mainly spotted on Gold Cup and St. Leger. They have also been seen trying to get into the miniature horse pastures. None of the dogs have been claimed. Sheriff Alford informed Jon that dog packs are truly predators and are more dangerous than coyotes as they usually will attack rather than retreat when approached. There has already been a

serious attack on a pet. Jon further reported that anyone can legally protect their property from these type predators. You can legally shoot them on your own property if you feel you are in danger. Jon reported there are several individuals within our community who will take care of this type problem by shooting them if you need this done and do not have the means to do so yourself. You may shoot on another person's property ONLY if they request your assistance. You may NOT fire across someone else's property. Jon reviewed that this pack of dogs is potentially dangerous and he would not take destroying them lightly, they would have to be positively identified as the same dogs, before any action taken. Members in attendance agreed that the safest way is that ALL pets within Nolan River Estates should ALWAYS be kept on the owners property at all times.

**Property Owner New Complaint** - Complaints about excessive drum noise have been received. The property where the noise is originating from is located at 4751 S. Nolan River Road. A neighbor contacted a parent about the noise but did not reach any compromise. Several suggestions were made, to include: all neighbors who are bothered by the noise join together and discuss the situation with the home owner find a compromise resolution, etc. Everyone needs to BE GOOD NEIGHBORS.

**Bylaw Change 9** - This will be the first vote on this change. The bylaw change was printed in the last newsletter and available on line. Jon took time to read, verbatim, the entire bylaw and recommended changes. Kurt provided an explanation of the purpose of the changes, much of which affects how money given to the HOA for a specific reason is to be written into the ledger for accounting and tracking accurately. If anyone writes a check, it should be made out to the HOA, if they give cash, a receipt is available if requested.

ARTICLE V MEETINGS OF MEMBERS, Section V - Voting: Voting within Nolan River Estates falls into basically three categories: 1 - changes to the Covenants and Deed Restrictions (CCR), 2 - community issues, 3 - election of officers of the HOA

A change to the CCR requires a majority approval of all members (active and non-active). The voting must utilize a written ballot that shows both printed name and signature. The ballot stating the proposition must be prepared and distributed by the BOD. Completed ballots are to be returned to the President or the President's designee. The closing date for voting shall be established by the BOD. Each household is allowed one vote on each voting issue. Community issues such as enforcement of deed restrictions, purchasing of items, Bylaw changes and so on will be voted on and decided by a majority vote of active members (one vote per household) present and voting at an announced Association meeting. Voting on community issues may be by secret ballot or a show of hands depending on the sensitivity of the issue. If one voting member requests a secret ballot, the vote must be conducted by a secret ballot. Only active members shall be allowed to vote on any Association issue to include for the election of officers. All votes cast in elections must be by secret vote. Each member having the right to vote shall be entitled to one (1) vote. If an active member is unable to attend a meeting to vote, they may vote early. Early voting is only permissible for elections and may not be used on other Association issues. All early votes must ~~must~~ **should** be sealed in two sealed envelopes. The inner envelope shall be plain without distinguishable markings. The outer envelope shall include at least the name and address of the active member. ~~Early voting must be done by either mailing the vote to the President or by hand carrying the vote to the President. If the member is physically unable to mail or hand carry their vote to the President, the member may request the President pick up their vote from them. No third party is permitted to mail or hand carry member votes. All early votes must be received prior to the applicable meeting.~~ **Early votes must be provided directly to the President or the President's designee prior to the applicable meeting.** At the meeting, the President, and at least one other active member, who cannot

be a nominee or an officer, shall use this information to confirm the voting status of early voters, after which they will remove the outer envelopes. The purpose of this early voting method is to protect the secret vote. The inner envelopes are not to be opened until it is time for the same team to tally all votes. The names of all members voting early shall be listed in the minutes of the applicable meeting. ~~All issues shall be decided by a majority vote of voting members present at the meeting.~~ A member voting early shall be considered being present at the meeting. Active members of the previous fiscal year will be allowed to vote **for elections and/or on community issues** through the end of the first quarter (March 31) of the current fiscal year.

ARTICLE IV – ASSESSMENTS, The Association shall establish a dues assessment to be paid by each property owner in order to be classified as an Active Member and have the ability to vote on Association issues. The amount of such assessment shall be set forth in the annual budget, due and payable by the end of the first quarter of the fiscal year (as defined in Article III-Membership, Section III - Active Membership). If dues are not paid within the first quarter of the fiscal year, the ~~members~~ **member's** right to vote and to hold office or committee appointment shall be automatically suspended. These rights shall be automatically reinstated if the ~~members~~ **member** pays his annual dues. All monies paid, or donations made to the Association, are non-refundable. **Monies or donations given to the Association for a specific project are considered set-aside and may not be used for any other purpose. If donations or monies exceed the need of the project, they may be spent on other Association items if approved by a majority vote of active members present and voting at an announced Association meeting. The intention of voting on this topic must be included in the meeting announcement.** A motion to approve the revisions and vote was made by Marcea, Michael seconded the motion. A vote by show of hands was conducted and carried, no nays. A second vote will be conducted at the next HOA meeting.

**Garage Sale/TAMER Donations** - Kurt informed the group that the EBOD wanted to establish a precedent for the **minimum** amount of a donation from the garage sale to the RV-VFD. The suggested minimum amount would be 51% of the net proceeds plus all of the boot donations. It was made clear that this is a precedent and not a rule. An additional donation to TAMER of \$660 was proposed as TAMER suggests a very reasonable annual \$10 per meter donation and the NRE donation for 2014 so far was \$200. The remaining 49% could/would be used for projects, voted on by the members, to beautify and develop our community and increase home values. A vote of members present was requested for:  
1. Give a minimum of 51% of the net proceeds of the Garage Sale each time to the RV-VFD and the entire amount in the boot. A motion to approve was requested by Michael and seconded by Mary. Vote by show of hands passed, no nays.  
2. Give a donation of \$660 to TAMER. (\$200 already given, with this additional \$660 will equal what TAMER requests, \$10 per meter, per year). Motion to approve payment made by Mary and seconded by Michael. Vote by show of hands approved, no nays. These donations are already reflected in the 2014 budget results.

**2015 Budget Proposal** - Kurt provided all persons present with a copy of the Draft 2015 budget for review. Dues remain at \$41/per year, which has not changed in 14 years. Jon said the time may come when \$50/year a year should be considered, and keep it voluntary. A suggestion was made that when it came time to discuss this possibility, how this money would be used needed to be made clear. Kurt also reminded everyone the ledgers are always available if anyone has questions about where the money comes from or how it is spent. The budget includes money for a one time use of a 10 ton dumpster. It would be placed someplace within NRE (not on Nolan River Rd.) for use by NRE property owners for cleaning up properties. A suggestion was also made that there be an area right next to the dumpster for metal collection which the HOA could recycle. The question was asked if there is money budgeted for

community mowing. There is money in the budget for mowing, but it is rarely used; however, it needs to remain in case it is ever needed. 911 signs are currently paid for by the individual who requests it. Mary made a motion to accept the 2015 budget as written, Michael seconded the motion. Vote by show of hands, approved, no nays.

**2015 Election of Officers** - Ballots were distributed to vote for Corresponding Secretary and Recording Secretary and Treasurer. No mail-in ballots were received. Votes for 2015 officers were counted by Jon Puryear and Michael Willing. The 2015 Officers Elected for another 2 year term are: Corresponding Secretary, Michele Newman; Recording Secretary, Teri Morales and Treasurer, Kurt Newman.

**2015 Committee Chairs** – All committee chairs present have volunteered to continue to serve in their positions. Jon thanked everyone for their service. Ronny will verify with those not present tonight their continuation to serve.

**2015 Goals** - Jon requested suggestions for 2015 goals. No suggestions received tonight. Jon encouraged anyone to email him with suggestions, including that it can be anything that will benefit the community. Several people in attendance voiced they would like the Spring Fest to return.

### **OPEN DISCUSSION - GENERAL TOPICS**

**Storm Shelter Program** - Jon reported he recently received an email update about his interest in the government program for assistance with installation of a storm shelter. The program is still available and apparently they will pay for 50% of the shelter but it must be installed by the government's guidelines. You can still sign up.

**Maintenance of the roads** - Discussion of who maintains NRE roadways and the answer is the Precinct. The uneven road surface on Gold Cup has already been turned into the Precinct.

**Next HOA Meeting** - The next HOA meeting will be on Thursday April 2, 2015 at 7 pm, held at the RVVFD meeting room in Rio Vista.

There being no further business to discuss, Kurt made the motion to adjourn and Mary seconded the motion. Motion carried unanimously. The meeting was adjourned at 9:02 pm.

Respectfully submitted by,  
Teri Morales  
CNRE - Recording Secretary